

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Norfolk Division

R.M.S. TITANIC, INC.,  
successor-in-interest to  
Titanic Ventures, limited partnership,  
Plaintiff,

v.

Civil Action No. 2:93cv902

THE WRECKED AND ABANDONED VESSEL,  
ITS ENGINES, TACKLE, APPAREL,  
APPURTENANCES, CARGO, ETC., LOCATED  
WITHIN ONE (1) NAUTICAL MILE OF A POINT  
LOCATED AT 41 43' 32" NORTH LATITUDE  
AND 49 56' 49" WEST LONGITUDE,  
BELIEVED TO BE THE R.M.S. TITANIC  
in rem,  
Defendant.

MOTION GRANTED.

Entered this 11<sup>th</sup> day of May 20 20

-RBS-  
Rebecca Beach Smith  
Senior United States District Judge

**NOAA'S REQUEST FOR LEAVE OF COURT TO RESPOND TO  
RMST'S RESPONSE TO NOAA'S REPORT AND RECOMMENDATION**

The United States, as *amicus*, and on behalf of its National Oceanic and Atmospheric Administration ("NOAA"), requests leave of Court to respond to some of the assertions and allegations made by RMST in its recent filing, should the Court believe it necessary. *See* ECF No. 605.

By way of background, on March 27, 2020, RMST filed its Research Design and motion to permit certain activities at *Titanic* during its planned 2020 Expedition. ECF Nos. 600 and 601. On April 27, 2020, NOAA filed its Report and Recommendation, providing its analysis of the Research Design and recommendations to the Court. ECF No. 602. On May 6, 2020, RMST filed a "response" to NOAA's Report and Recommendation. ECF No. 605. That same day, the clerk advised RMST's counsel that leave of court was required for RMST's "response." RMST has not yet sought such leave.

Should the Court be inclined to grant RMST leave, and accept and consider RMST's response (ECF No. 605), NOAA respectfully requests that it be given the opportunity to file a reply to address RMST's assertions. NOAA believes that additional context would be helpful to the Court in order to evaluate RMST's claims.

Respectfully submitted,

G. Zachary Terwilliger  
United States Attorney

By: /s/ Kent P. Porter  
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**CERTIFICATE OF SERVICE**

I hereby certify that on the 8th day of May, 2020, I will electronically file the foregoing document with the Clerk of Court using the CM/ECF system, which will then send a notification of electronic filing (NEF) to the following:

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